

THE ROSEN LAW FIRM, P.A.

Phillip Kim, Esq. (PK 9384)
Laurence M. Rosen, Esq. (LR 5733)
275 Madison Ave., 34th Floor
New York, New York 10016
Telephone: (212) 686-1060
Facsimile: (212) 202-3827
Email: lrosen@rosenlegal.com
Email: pkim@rosenlegal.com

[Proposed] Lead Counsel for Plaintiffs and
Class

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PERRY CIRAULU, Individually And On Case No.14-cv-08659 (AKH)
Behalf Of All Others Similarly Situated,

Plaintiff,

vs.

AMERICAN REALTY CAPITAL
PROPERTIES, INC., NICHOLAS S.
SCHORSCH, DAVID S. KAY, BRIAN
BLOCK, and LISA MCALISTER,

Defendants.

-----X
BERNARD PRIEVER, Individually and On Case No. 14-cv-08668 (AKH)
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

AMERICAN REALTY CAPITAL
PROPERTIES INC., LISA P. MCALISTER,
and BRIAN S. BLOCK,

Defendants.

-----X

CLASS ACTION

**NOTICE OF MOTION OF THE ARCP
GROUP TO CONSOLIDATE RELATED
ACTIONS AND FOR APPOINTMENT AS
LEAD PLAINTIFF AND APPROVAL OF
COUNSEL**

CLASS ACTION

-----X
STUART RUBINSTEIN, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

AMERICAN REALTY CAPITAL
PROPERTIES, INC., BRIAN S. BLOCK,
LISA MCALISTE and NICHOLAS S.
SCHORSCH,

Defendants.

-----X
KEVIN PATTON, Individually And On
Behalf Of All Others Persons Similarly
Situated,

Plaintiff,

vs.

AMERICAN REALTY CAPITAL
PROPERTIES, INC.; DAVID S. KAY;
NICHOLAS S. SCHORSCH; BRIAN S.
BLOCK; AND LISA P. MCALISTER,

Defendants.

-----X
JAMES W. EDWARDS, JR., Individually And
On Behalf Of All Others Similarly Situated,

Plaintiff,

vs.

AMERICAN REALTY CAPITAL
PROPERTIES, INC., NICHOLAS S.
SCHORSCH, DAVID S. KAY, BRIAN S.
BLOCK and LISA PAVELKA McALISTER

Defendants.

-----X

Case No. 14-cv-08669 (AKH)

CLASS ACTION

Case No. 14-cv-08671 (AKH)

CLASS ACTION

Case No. 14-cv-08721 (AKH)

CLASS ACTION

-X SIMON ABADI, On Behalf Of Himself Case No. 14-cv-09006 (AKH)
and All Others Similarly Situated,

CLASS ACTION

Plaintiff,

vs.

AMERICAN REALTY CAPITAL
PROPERTIES, INC., NICHOLAS S.
SCHORSCH, DAVID S. KAY, PETER M.
BUDKO, BRIAN S. BLOCK, LISA E.
BEESON, WILLIAM M. KAHANE,
EDWARD M. WEIL, JR., LESLIE D.
MICHELSON, EDWARD G. RENDELL, and
SCOTT J. BOWMAN,

Defendants.

-----X

PLEASE TAKE NOTICE that pursuant to Section 21D of the Securities and Exchange Act of 1934, 15 U.S.C. § 78u-4(a)(3)(B), as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), Heng Kok Lee & You Tick Lee Revocable Living Trust DTD 12/3/99, Stephen Chino and Stephen Tubin, individually and on behalf of all others similarly situated (“Movants” or the “ARCP Group”) do hereby move this Court, the Hon. Alvin K. Hellerstein, United States District Judge for an Order:

- (a) Consolidating the above-captioned related actions:
- (b) Appointing Movants to serve as Lead Plaintiff on behalf of those investors who exchanged their Cole Real Estate Investments, Inc. common stock for ARCP common stock pursuant to a December 23, 2013 merger registration statement; and
- (c) Approving Movants’ selection of The Rosen Law Firm, P.A. as Lead Counsel for the litigation.

In support of this Motion, Movants submit: (1) Memorandum of Law (with exhibits); and

(2) a [Proposed] Order

Dated: December 29, 2014

Respectfully submitted,

THE ROSEN LAW FIRM, P.A

/s/ Phillip Kim

Phillip Kim, Esq. (PK 9384)

Laurence M. Rosen, Esq. (LR 5733)

275 Madison Avenue, 34th Floor

New York, NY 10016

Telephone: (212) 686-1060

Facsimile: (212) 202-3827

pkim@rosenlegal.com

lrosen@rosenlegal.com

[Proposed] Lead Counsel for
Plaintiffs and Class

CERTIFICATE OF SERVICE

I hereby certify that on this, the 29th day of December, 2014, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/Philip Kim